

Remarks

Claims 39 to 41 are added and claims 3, 25, 27 and 37 are amended. Claims 1 to 41 are pending in this application of which claims 7 to 12, 14 to 24, 31 to 36 and 38 were withdrawn. Claims 1, 3, 15, 25, 27 and 39 are in independent form.

Claims 3 to 6 and 27 to 30 were only objected to as being dependent from a rejected base claim. Accordingly, claims 3 and 27 are amended to incorporate therein all the features and limitations of the claims from which they had previously depended. Claims 4 to 6 are dependent from claim 3 and claims 28 to 30 are dependent from claim 27. Claims 3 to 6 and 27 to 30 should now be in condition for allowance.

Claims 1, 2, 13, 25, 26 and 37 were rejected under 35 USC 102(b) as being anticipated by Treace. The following will show that independent claims 1 and 25 patentably distinguish the applicants' invention over this reference.

In the action, reference is made to column 5, lines 13 to 17, and the internal and external spline-like portions (55a, 55b) are viewed as being:

"tongue-shaped sections for applying a spring force onto the outer peripheral surface of the main objective."

In Treace, it is indicated that the spline like portions (55a, 55b) allow for slight changes of the frusto-conical body for accommodating various diameters of objective lens frames as noted at column 5, lines 8 to 13. This makes possible a friction-tight holding of the holding body for

the cover glass on the objective lens having different diameter.

In contrast to Treace, the applicants' invention provides for a:

"... tongue-shaped section for applying a spring force onto said outer peripheral surface of said main objective when said holding unit is mounted on said main objective in order to force-tightly hold said holding unit on said main objective."

From the above, it can be seen that the tongue-shaped section applies a spring force onto the outer portion of the peripheral surface of the objective in order to force-tightly hold the holding unit thereon. Because of this spring force, the diameter of the objective can be different and the tongue-shaped section simply applies a force of different intensity but yet sufficient to force-tightly hold the holding unit on the main objective.

In contrast, Treace makes no reference or any suggestion as to tongue-shaped portions and instead discloses a crenulated construction that includes alternating circumferentially arranged internal and external spline-like portions. The crenulated construction of the frusto-conical body 55 of Treace affords a constricting resilient function which is very different from the tongue-shaped elements of the applicants' invention. The holding device of Treace for a drape and that of the applicants' invention are really alternative solutions for the problem of reliably holding a drape in the region of the main objective of a microscope with different objective diameters which really have nothing to do with one another.

In view of the foregoing, applicants submit that claim 1

patentably distinguishes their invention over Treace and should now be allowable. Claim 25 essentially parallels claim 1 so that this claim too should be allowable. Claims 2 and 7 to 14 are all dependent from claim 1 and claims 26 and 31 to 38 are dependent from claim 25 so that these dependent claims should now likewise be allowable. Added claim 39 is somewhat narrower than independent claims 1 and 25 so that this claim and claims 40 and 41, which are dependent therefrom, should also be allowable.

Reconsideration of the application is earnestly solicited.

Respectfully submitted,



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Date: November 23, 2005